

GENERAL COMMITTEE

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SUMMARY RECORD OF THE SEVENTY-THIRD MEETING

Held at Hovernment House, Jerusalem,
on Monday 19 February 1951
at 10.30 a.m.

Present:

Mr. de Nicolay	(France)	- Chairman
Mr. Barco	(United States)	
Mr. Eralp	(Turkey)	
Mr. de Azcarate		- Principal Secretary

In opening the meeting the CHAIRMAN read out the draft of a cable which it had been decided to send to Mr. Andersen to inform him that the Commission had noted his acceptance of the post of Head of the Refugee Office of the Conciliation Commission, it being understood that he would take up his duties on 1 May.

The text of the cable was approved with slight modifications and the Principal Secretary was requested to forward it to Mr. Andersen.

The CHAIRMAN recalled that at its last meeting the Commission had instructed the General Committee to prepare, on the basis of the working papers submitted by the Secretariat, a memorandum enabling it to draft the directives which it would have to give to the Office and to its Head for their guidance.

He stated that he had prepared a draft memorandum concerning the terms of reference of the Head of the Refugee Office of the Conciliation Commission and concerning ways and means for their implementation.

He submitted this draft memorandum to the General Committee and pointed out

that, in his opinion, it was necessary to set forth clearly the nature of the new body and its terms of reference, among which the question of compensation came first, repatriation and reintegration second, and the continuation of consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees came third.

Mr. ERALP (Turkey) stated that he considered the draft memorandum, in its general outline, to be perfectly acceptable.

Mr. BARCO (United States) stated that, in his view, the Chairman had put forward an excellent draft, which could usefully be considered as a basis for discussion.

He, in turn, wished to inform the members of the General Committee of the conclusions he had reached after having himself considered the problem. He felt that there had been a tendency to consider the establishment of the Refugee Office as a device by which to pass on the problem of refugees to a new body which might perhaps succeed on the technical level where the Commission had failed on the political level. He feared that the establishment of the new Office was not the result of any faith in the success of another body in a field where the Commission had failed, but was rather considered simply as a means of discussing the problem for the time being.

It was important to be fully aware of the difficulties which would face the new Office and to study the means by which the Office could arrive at concrete results. Indeed, the establishment of a body which would not have the practicable means of fulfilling the task entrusted to it, would in no way serve the interests of the United Nations.

It would therefore be necessary to proceed on a realistic basis and with full knowledge of the extent of the efforts that the obligated party could be logically called upon to undertake, in the light of its economic and financial abilities, at the time of actual payment of compensation.

Another factor whose importance should not be underestimated was the time element. Because of the difficulties which had been encountered in the recruitment

of the staff of the new Office, much of the work of that Office would have to be done between May and September if the Conciliation Commission were to have anything to report to the Assembly, it would seem difficult, within that period of time, to make a complete evaluation of all abandoned refugee property in Israel. This was a matter which the Commission would have to consider in making its plans for the period between now and 1 May when the Head of the Office was expected to take up his duties.

The CHAIRMAN stated that those were very relevant observations and believed that a systematic study of the terms of reference of the new Office could be carried out in the light of the three factors mentioned by Mr. Barco.

The PRINCIPAL SECRETARY pointed out that the Head of the new Office would only take up his duties on 1 May, and that this fact altered somewhat the problem which the General Committee was to study. In his view, the Committee should determine what should be the immediate task of the Office pending the arrival of its Head, and, considering one after another the functions of the Office, the Committee should decide upon the scope of its directives.

After an exchange of views, in the course of which Mr. ERALP (Turkey) mentioned in particular the question of the status of the Committee of Experts on Compensation, it was decided that the members of the General Committee would study for the next meeting the draft memorandum submitted by the Chairman and the working papers of the Secretariat, so as to be able to take up the different items which should be included in the draft to be forwarded to the Commission, and to make suggestions as to the directives which would enable the experts on compensation at present in Jerusalem to begin their work.

The meeting rose at 12.15 p.m.